

Attachment A

Judgment of Conviction and extracts of record, First Degree Kidnapping, Conspiracy to Commit Robbery, and Robbery with a Deadly Weapon, in the District Court of Nevada in Clark County, Nevada, Mar. 26, 2008, Case No. C-236921

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DISTRICT COURT

Chaf
CLERK OF THE COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C236921

-vs-

DEPT. NO. XIV

STEPHONE WHITNEY
#2647736

Defendant.

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – FIRST DEGREE KIDNAPING (Category A Felony) in violation of NRS 200.310, 200.320, COUNT 2 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 199.480, 200.380, and COUNT 3 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 193.165, 200.380; thereafter, on the 26th day of March, 2008, the Defendant was present in court for sentencing with his counsel, KENNETH FRIZZELL, ESQ., and good cause appearing,

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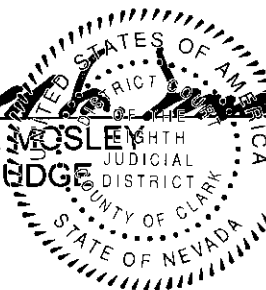
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THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee including testing to determine genetic markers, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows: AS TO COUNT 1 - TO A MAXIMUM of ONE HUNDRED FIFTY-SIX (156) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS; AS TO COUNT 2 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS, COUNT 2 to run CONCURRENT with COUNT 1; AS TO COUNT 3 - TO A MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, plus an EQUAL and CONSECUTIVE term of ONE HUNDRED TWENTY (120) MONTHS MAXIMUM and TWENTY-SIX (26) MONTHS MINIMUM for the Use of a Deadly Weapon, COUNT 3 to run CONCURRENT with COUNT 2; with TWO HUNDRED SEVENTY-TWO (272) DAYS credit for time served.

DATED this 31st day of March, 2008

November 19, 2020


DONALD M. MOSLEY
DISTRICT JUDGE



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Chen
CLERK OF THE COURT

1 **INFO**
2 DAVID ROGER
3 Clark County District Attorney
4 Nevada Bar #002781
5 TINA SEDLOCK
6 Deputy District Attorney
7 Nevada Bar #009286
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

12 I.A. 9/24/07
13 9:00 A.M.
14 K. FRIZZELL
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DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

STEPHONE WHITNEY,
#2647736

Defendant.

Case No: C236921
Dept No: XIV

INFORMATION

STATE OF NEVADA }
COUNTY OF CLARK } ss.

DAVID ROGER, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That STEPHONE WHITNEY, the Defendant(s) above named, having committed the crimes of **CONSPIRACY TO COMMIT ROBBERY (Felony - NRS 199.480, 200.380); BURGLARY WHILE IN POSSESSION OF A FIREARM (Felony - NRS 205.060); CONSPIRACY TO COMMIT KIDNAPPING (Felony - NRS 199.480, 200.310, 200.320); FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Felony - NRS 200.310, 200.320, 193.165) and ROBBERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.165)**, on or about the 26th day of June, 2007, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

1 COUNT 1 - CONSPIRACY TO COMMIT ROBBERY

2 did then and there meet with THURMAN NICKELAS HALL, MIYA PATRIECE
3 MASON and GREGORY FORD and between themselves, and each of them with the other,
4 wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit: robbery,
5 and in furtherance of said conspiracy, Defendant did commit the acts as set forth in Counts 5,
6 6 and 7, said acts being incorporated by this reference as though fully set forth herein.

7 COUNT 2 - BURGLARY WHILE IN POSSESSION OF A FIREARM

8 did, together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON,
9 GREGORY FORD and an unidentified confederate, then and there wilfully, unlawfully, and
10 feloniously enter, while in possession of a firearm and/or other handgun, with intent to
11 commit larceny, robbery and/or kidnapping, that certain building occupied by GOLD
12 DOCTOR, located at 23 North Mojave Road, Las Vegas, Clark County, Nevada, Defendant
13 and his confederates entering with intent to commit larceny, robbery and/or kidnapping; said
14 offense being committed by one or more of the following means, to-wit: by the Defendant,
15 THURMAN NICKELAS HALL, MIYA PATRIECE MASON and GREGORY FORD and
16 an unidentified confederate acting in concert, by entering into a course of conduct as
17 accomplices, by escorting each other to the scene, by acting as look-out for each other, by
18 accomplice MIYA PATRIECE MASON waiting in the get-away car to drive them away by
19 one or more accomplices entering said business while one or more of said accomplices
20 carried and/or displayed a firearm and/or handgun, by one or more accomplices providing
21 support in numbers upon jointly entering said business and/or accosting the occupants
22 therein; whereby the Defendant being responsible under one or more of the following
23 principles of criminal liability, to-wit: (1) by directly committing this offense; and/or (2) by
24 knowingly and intentionally aiding or abetting in its perpetration; and/or (3) by conspiring
25 with others whereby Defendant is liable for the acts of accomplices committed in furtherance
26 of the conspiracy for this offense.

27 COUNT 3 - CONSPIRACY TO COMMIT KIDNAPPING

28 did then and there meet with THURMAN NICKELAS HALL, MIYA PATRIECE

1 MASON and GREGORY FORD and between themselves, and each of them with the other,
2 wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit:
3 kidnapping, and in furtherance of said conspiracy, Defendant did commit the acts as set forth
4 in Count 4, said acts being incorporated by this reference as though fully set forth herein.

5 COUNT 4 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

6 did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON,
7 GREGORY FORD and an unidentified confederate, wilfully, unlawfully, feloniously, and
8 without authority of law, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or
9 carry away BEATRIZ HERNANDEZ, a human being, with the intent to hold or detain the
10 said BEATRIZ HERNANDEZ against her will, and without her consent, for the purpose of
11 committing robbery, said Defendant using a deadly weapon, to-wit: one or more firearms
12 and/or other handguns, during the commission of said crime, said offense being committed
13 by one or more of the following means, to-wit: by the Defendant, THURMAN NICKELAS
14 HALL, MIYA PATRIECE MASON, GREGORY FORD and an unidentified confederate
15 acting in concert, by entering into a course of conduct as accomplices, by escorting each
16 other to the scene, by acting as look-out for each other, by accomplice MIYA PATRIECE
17 MASON waiting in the get-away car to drive them away, by one or more accomplices
18 entering said business with one or more of said accomplices carrying and/or displaying a
19 firearm and/or handgun, by one or more accomplices providing support in numbers upon
20 jointly entering said business and/or accosting the occupants therein with said weapons, by
21 accomplice THURMAN NICKELAS HALL displaying a firearm and moving BEATRIZ
22 HERNANDEZ into a bathroom; whereby the Defendant is responsible under one or more of
23 the following principles of criminal liability, to-wit: (1) by actually committing said offense;
24 (2) by knowingly and intentionally aiding or abetting in its perpetration; and/or (3) by
25 conspiring with others whereby the Defendant is liable for the acts of accomplices
26 committed in furtherance of the conspiracy for this offense.

27 COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON

28 did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON,

1 GREGORY FORD and an unidentified confederate then and there wilfully, unlawfully, and
2 feloniously take personal property, to-wit: jewelry, from the person of KENNETH
3 KALBACH, or in his presence, by means of force or violence or fear of injury to, and
4 without the consent and against the will of the said KENNETH KALBACH, said Defendant
5 using a deadly weapon, to-wit: a firearm and/or other handgun, during the commission of
6 said crime, said offense being committed by one or more of the following means, to-wit: by
7 the Defendant, THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY
8 FORD and an unidentified confederate acting in concert, by entering into a course of
9 conduct as accomplices, by escorting each other to the scene, by acting as look-out for each
10 other, by accomplice MIYA PATRIECE MASON waiting in the get-away car to drive them
11 away, by the other accomplices entering the GOLD DOCTOR and/or C & H
12 ENTERPRISES business with one or more of said accomplices displaying handguns, by one
13 or more accomplices providing support in numbers upon jointly entering said business
14 and/or accosting the owners and/or employees BEATRIZ HERNANDEZ, KENNETH
15 KALBACH and/or DENNIS ZANE HOUSTON, by accomplice THURMAN NICKELAS
16 HALL displaying a firearm and moving BEATRIZ HERNANDEZ into a back bathroom; by
17 one or more accomplices standing guard and/or watching employee BEATRIZ
18 HERNANDEZ remain in the back bathroom, by one or more accomplices rummaging
19 through and/or taking several pieces of jewelry from store display cases, by accomplice
20 GREGORY FORD shooting a handgun and/or fighting over a handgun with
21 employee/owners KENNETH KALBACH and/or DENNIS ZANE HOUSTON, by the
22 Defendant punching at or toward employee BEATRIZ HERNANDEZ, and/or by one or
23 more accomplices fleeing the scene with one or more pieces of jewelry; whereby the
24 Defendant is responsible under one or more of the following principles of criminal liability,
25 to-wit: (1) by actually committing said offense; (2) by knowingly and intentionally aiding or
26 abetting in its perpetration; and/or (3) by conspiring with others whereby the Defendant is
27 liable for the acts of accomplices committed in furtherance of the conspiracy for this offense.

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COUNT 6 - ROBBERY WITH USE OF A DEADLY WEAPON

did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY FORD and an unidentified confederate then and there wilfully, unlawfully, and feloniously take personal property, to-wit: several pieces of jewelry, from the presence of owner/employee DENNIS ZANE HOUSTON, or in his presence, by means of force or violence or fear of injury to, and without the consent and against the will of the said DENNIS ZANE HOUSTON, said Defendant using a deadly weapon, to-wit: a firearm and/or other handgun, during the commission of said crime; said offense being committed by one or means under one or more of the principles of criminal liability set forth in Count 5 above incorporated by this reference as though fully set forth herein.

COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON

did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY FORD and an unidentified confederate then and there wilfully, unlawfully, and feloniously take personal property, to-wit: several pieces of jewelry, from the presence of employee BEATRIZ HERNANDEZ, or in her presence, by means of force or violence or fear of injury to, and without the consent and against the will of the said BEATRIZ HERNANDEZ, said Defendant using a deadly weapon, to-wit: a firearm and/or other handgun, during the commission of said crime; said offense being committed by one or means under one or more of the principles of criminal liability set forth in Court 5 above incorporated by this reference as though fully set forth herein.

BY



DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781



JAN 19 2021

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TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

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Names of witnesses known to the District Attorney's Office at the time of filing this
Information are as follows:

<u>NAME</u>	<u>ADDRESS</u>
CUSTODIAN OF RECORDS	LVMPD - DISPATCH
ANDERSEN, LAURA CLARK	LVMPD P#2780
WALLACE, MICHAEL ALLEN	LVMPD P#4761
HERNANDEZ, BEATRIZ	4360 HINSDALE AV, LVN 89115
KALBACH, KENNETH	4335 TOPAZ ST, LVN 89121
HOUSTON, DENNIS ZANE	4335 TOPAZ ST, LVN 89121

DA#07F16888X/rad
LVMPD EV#0706261424
CONSP ROBB; BURG WFA; CONSP KIDN; 1ST DEG KWDW; RWDW - F
(TK5)

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CLERK OF THE COURT

1 AINF
2 DAVID ROGER
3 Clark County District Attorney
4 Nevada Bar #002781
5 TINA SEDLOCK
6 Deputy District Attorney
7 Nevada Bar #009286
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,)

10 Plaintiff,)

11 -vs-)

12 STEPHONE WHITNEY,)
13 #2647736)

14 Defendant.)

Case No: C236921
Dept No: XIV

AMENDED
INFORMATION

15 STATE OF NEVADA }
16 COUNTY OF CLARK } ss.

17 DAVID ROGER, District Attorney within and for the County of Clark, State of
18 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That STEPHONE WHITNEY, the Defendant(s) above named, having committed the
20 crimes of **FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON**
21 **(Category A Felony - NRS 200.310, 200.320, 193.165); CONSPIRACY TO COMMIT**
22 **ROBBERY (Category B Felony - NRS 199.480, 200.380) and ROBBERY WITH USE**
23 **OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165)**, on or about the
24 26th day of June, 2007, within the County of Clark, State of Nevada, contrary to the form,
25 force and effect of statutes in such cases made and provided, and against the peace and
26 dignity of the State of Nevada,

27 COUNT 1 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

28 did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON,

GREGORY FORD and an unidentified confederate, wilfully, unlawfully, feloniously, and without authority of law, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away BEATRIZ HERNANDEZ, a human being, with the intent to hold or detain the said BEATRIZ HERNANDEZ against her will, and without her consent, for the purpose of committing robbery, said Defendant using a deadly weapon, to-wit: one or more firearms and/or other handguns, during the commission of said crime, said offense being committed by one or more of the following means, to-wit: by the Defendant, THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY FORD and an unidentified confederate acting in concert, by entering into a course of conduct as accomplices, by escorting each other to the scene, by acting as look-out for each other, by accomplice MIYA PATRIECE MASON waiting in the get-away car to drive them away, by one or more accomplices entering said business with one or more of said accomplices carrying and/or displaying a firearm and/or handgun, by one or more accomplices providing support in numbers upon jointly entering said business and/or accosting the occupants therein with said weapons, by accomplice THURMAN NICKELAS HALL displaying a firearm and moving BEATRIZ HERNANDEZ into a bathroom; whereby the Defendant is responsible under one or more of the following principles of criminal liability, to-wit: (1) by actually committing said offense; (2) by knowingly and intentionally aiding or abetting in its perpetration; and/or (3) by conspiring with others whereby the Defendant is liable for the acts of accomplices committed in furtherance of the conspiracy for this offense.

COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

did then and there meet with THURMAN NICKELAS HALL, MIYA PATRIECE MASON and GREGORY FORD and between themselves, and each of them with the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit: robbery, and in furtherance of said conspiracy, Defendant did commit the acts as set forth in Count 3, said acts being incorporated by this reference as though fully set forth herein.

COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON

did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON,

1 GREGORY FORD and an unidentified confederate then and there wilfully, unlawfully, and
2 feloniously take personal property, to-wit: jewelry, from the person of KENNETH
3 KALBACH and/or the person of DENNIS ZANE HOUSTON and/or the person of
4 BEATRIZ HERNANDEZ, or in their presence, by means of force or violence or fear of
5 injury to, and without the consent and against the will of the said KENNETH KALBACH
6 and/or DENNIS ZANE HOUSTON and/or BEATRIZ HERNANDEZ, said Defendant using
7 a deadly weapon, to-wit: a firearm and/or other handgun, during the commission of said
8 crime, said offense being committed by one or more of the following means, to-wit: by the
9 Defendant, THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY
10 FORD and an unidentified confederate acting in concert, by entering into a course of
11 conduct as accomplices, by escorting each other to the scene, by acting as look-out for each
12 other, by accomplice MIYA PATRIECE MASON waiting in the get-away car to drive them
13 away, by the other accomplices entering the GOLD DOCTOR and/or C & H
14 ENTERPRISES business with one or more of said accomplices displaying handguns, by one
15 or more accomplices providing support in numbers upon jointly entering said business
16 and/or accosting the owners and/or employees BEATRIZ HERNANDEZ, KENNETH
17 KALBACH and/or DENNIS ZANE HOUSTON, by accomplice THURMAN NICKELAS
18 HALL displaying a firearm and moving BEATRIZ HERNANDEZ into a back bathroom; by
19 one or more accomplices standing guard and/or watching employee BEATRIZ
20 HERNANDEZ remain in the back bathroom, by one or more accomplices rummaging
21 through and/or taking several pieces of jewelry from store display cases, by accomplice
22 GREGORY FORD shooting a handgun and/or fighting over a handgun with
23 employee/owners KENNETH KALBACH and/or DENNIS ZANE HOUSTON, by the
24 Defendant punching at or toward employee BEATRIZ HERNANDEZ, and/or by one or
25 more accomplices fleeing the scene with one or more pieces of jewelry; whereby the
26 Defendant is responsible under one or more of the following principles of criminal liability,
27 to-wit: (1) by actually committing said offense; (2) by knowingly and intentionally aiding or
28 ///

1 abetting in its perpetration; and/or (3) by conspiring with others whereby the Defendant is
2 liable for the acts of accomplices committed in furtherance of the conspiracy for this offense.
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5
6 BY 

7 DAVID ROGER
8 DISTRICT ATTORNEY
9 Nevada Bar #002781
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22 JAN 19 2021

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25 TRUE AND CORRECT COPY
26 OF THE DOCUMENT IN FILE

26 DA#07F16888X/jmj
27 LVMPD EV#0706261424
28 1ST DEG KWDW; CONSP ROBB; RWDW - F
(TK5)

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CLERK OF THE COURT

1 AINF
2 DAVID ROGER
3 Clark County District Attorney
4 Nevada Bar #002781
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9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,)

10 Plaintiff,)

11 -vs-)

12 STEPHONE WHITNEY,)
13 #2647736)

14 Defendant.)

Case No: C236921
Dept No: XIV

SECOND
AMENDED
INFORMATION

15 STATE OF NEVADA }
16 COUNTY OF CLARK } ss.

17 DAVID ROGER, District Attorney within and for the County of Clark, State of
18 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That STEPHONE WHITNEY, the Defendant(s) above named, having committed the
20 crimes of **FIRST DEGREE KIDNAPPING** (Category A Felony - NRS 200.310,
21 **200.320**); **CONSPIRACY TO COMMIT ROBBERY** (Category B Felony - NRS
22 **199.480, 200.380**) and **ROBBERY WITH USE OF A DEADLY WEAPON** (Category B
23 **Felony - NRS 200.380, 193.165**), on or about the 26th day of June, 2007, within the County
24 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases
25 made and provided, and against the peace and dignity of the State of Nevada,

26 COUNT 1 - FIRST DEGREE KIDNAPPING

27 did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON,
28 GREGORY FORD and an unidentified confederate, wilfully, unlawfully, feloniously, and

without authority of law, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away BEATRIZ HERNANDEZ, a human being, with the intent to hold or detain the said BEATRIZ HERNANDEZ against her will, and without her consent, for the purpose of committing robbery, said offense being committed by one or more of the following means, to-wit: by the Defendant, THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY FORD and an unidentified confederate acting in concert, by entering into a course of conduct as accomplices, by escorting each other to the scene, by acting as look-out for each other, by accomplice MIYA PATRIECE MASON waiting in the get-away car to drive them away, by one or more accomplices entering said business with one or more of said accomplices carrying and/or displaying a firearm and/or handgun, by one or more accomplices providing support in numbers upon jointly entering said business and/or accosting the occupants therein with said weapons, by accomplice THURMAN NICKELAS HALL displaying a firearm and moving BEATRIZ HERNANDEZ into a bathroom; whereby the Defendant is responsible under one or more of the following principles of criminal liability, to-wit: (1) by actually committing said offense; (2) by knowingly and intentionally aiding or abetting in its perpetration; and/or (3) by conspiring with others whereby the Defendant is liable for the acts of accomplices committed in furtherance of the conspiracy for this offense.

COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

did then and there meet with THURMAN NICKELAS HALL, MIYA PATRIECE MASON and GREGORY FORD and between themselves, and each of them with the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit: robbery, and in furtherance of said conspiracy, Defendant did commit the acts as set forth in Count 3, said acts being incorporated by this reference as though fully set forth herein.

COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON

did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY FORD and an unidentified confederate then and there wilfully, unlawfully, and feloniously take personal property, to-wit: jewelry, from the person of KENNETH

1 KALBACH and/or the person of DENNIS ZANE HOUSTON and/or the person of
2 BEATRIZ HERNANDEZ, or in their presence, by means of force or violence or fear of
3 injury to, and without the consent and against the will of the said KENNETH KALBACH
4 and/or DENNIS ZANE HOUSTON and/or BEATRIZ HERNANDEZ, said Defendant using
5 a deadly weapon, to-wit: a firearm and/or other handgun, during the commission of said
6 crime, said offense being committed by one or more of the following means, to-wit: by the
7 Defendant, THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY
8 FORD and an unidentified confederate acting in concert, by entering into a course of
9 conduct as accomplices, by escorting each other to the scene, by acting as look-out for each
10 other, by accomplice MIYA PATRIECE MASON waiting in the get-away car to drive them
11 away, by the other accomplices entering the GOLD DOCTOR and/or C & H
12 ENTERPRISES business with one or more of said accomplices displaying handguns, by one
13 or more accomplices providing support in numbers upon jointly entering said business
14 and/or accosting the owners and/or employees BEATRIZ HERNANDEZ, KENNETH
15 KALBACH and/or DENNIS ZANE HOUSTON, by accomplice THURMAN NICKELAS
16 HALL displaying a firearm and moving BEATRIZ HERNANDEZ into a back bathroom; by
17 one or more accomplices standing guard and/or watching employee BEATRIZ
18 HERNANDEZ remain in the back bathroom, by one or more accomplices rummaging
19 through and/or taking several pieces of jewelry from store display cases, by accomplice
20 GREGORY FORD shooting a handgun and/or fighting over a handgun with
21 employee/owners KENNETH KALBACH and/or DENNIS ZANE HOUSTON, by the
22 Defendant punching at or toward employee BEATRIZ HERNANDEZ, and/or by one or
23 more accomplices fleeing the scene with one or more pieces of jewelry; whereby the
24 Defendant is responsible under one or more of the following principles of criminal liability,
25 to-wit: (1) by actually committing said offense; (2) by knowingly and intentionally aiding or
26 ///
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1 abetting in its perpetration; and/or (3) by conspiring with others whereby the Defendant is
2 liable for the acts of accomplices committed in furtherance of the conspiracy for this offense.
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4
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6 BY



7 DAVID ROGER
8 DISTRICT ATTORNEY
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28 1ST DEG KIDNAP; CONSP ROBB; RWDW - F
(TK5)

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 2 **DAVID ROGER**
 3 **DISTRICT ATTORNEY**
 Nevada Bar #002781
 4 **TINA SEDLOCK**
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 5 200 Lewis Avenue
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 (702) 671-2500
 6 Attorney for Plaintiff

FILED IN OPEN COURT
 FEB 05 2008 20

CHARLES J. SHORT
 CLERK OF THE COURT

BY *Linda Skinner*
 DEPUTY
 LINDA SKINNER

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

STEPHONE WHITNEY,
 #2647736

Defendant.

CASE NO: C236921
 DEPT NO: XIV

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: FIRST DEGREE KIDNAPPING (Category A Felony - NRS 200.310, 200.320); CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 199.480, 200.380) and ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165); as more fully alleged in the charging document attached hereto as Exhibit "1".

My decision to plead guilty is based upon the plea agreement in this case which is as follows:

The State has agreed to retain the right to argue at rendition of sentence.

CONSEQUENCES OF THE PLEA

I understand that by pleading guilty I admit the facts which support all the elements of the offense(s) to which I now plead as set forth in Exhibit "1".

As to COUNT 1, I understand that as a consequence of my plea of guilty the Court must sentence me to imprisonment in the Nevada Department of Corrections for life with the

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1 possibility of parole with parole eligibility beginning at five (5) years OR for a definite term
2 of fifteen (15) years with eligibility for parole beginning at five (5) years.

3 As to **COUNT 2**, the Court must sentence me to imprisonment in the Nevada
4 Department of Corrections for a minimum term of not less than one (1) year and a maximum
5 term of not more than six (6) years. The minimum term of imprisonment may not exceed
6 forty percent (40%) of the maximum term of imprisonment.

7 As to **COUNT 3**, the Court must sentence me to imprisonment in the Nevada
8 Department of Corrections for a minimum term of not less than two (2) years and a
9 maximum term of not more than fifteen (15) years plus an equal and consecutive term for
10 use of a deadly weapon. The minimum term of imprisonment may not exceed forty percent
11 (40%) of the maximum term of imprisonment.

12 I understand that the law requires me to pay an Administrative Assessment Fee.

13 I understand that, if appropriate, I will be ordered to make restitution to the victim of
14 the offense(s) to which I am pleading guilty and to the victim of any related offense which is
15 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
16 reimburse the State of Nevada for any expenses related to my extradition, if any.

17 I understand that I am not eligible for probation for the offense to which I am pleading
18 guilty.

19 I understand that if more than one sentence of imprisonment is imposed and I am
20 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
21 the sentences served concurrently or consecutively.

22 I also understand that information regarding charges not filed, dismissed charges, or
23 charges to be dismissed pursuant to this agreement may be considered by the judge at
24 sentencing.

25 I have not been promised or guaranteed any particular sentence by anyone. I know
26 that my sentence is to be determined by the Court within the limits prescribed by statute.

27 I understand that if my attorney or the State of Nevada or both recommend any
28 specific punishment to the Court, the Court is not obligated to accept the recommendation.

1 I understand that if the State of Nevada has agreed to recommend or stipulate a
2 particular sentence or has agreed not to present argument regarding the sentence, or agreed
3 not to oppose a particular sentence, or has agreed to disposition as a gross misdemeanor
4 when the offense could have been treated as a felony, such agreement is contingent upon my
5 appearance in court on the initial sentencing date (and any subsequent dates if the sentencing
6 is continued). I understand that if I fail to appear for the scheduled sentencing date or I
7 commit a new criminal offense prior to sentencing the State of Nevada would regain the full
8 right to argue for any lawful sentence.

9 I understand if the offense(s) to which I am pleading guilty to was committed while I
10 was incarcerated on another charge or while I was on probation or parole that I am not
11 eligible for credit for time served toward the instant offense(s).

12 I understand that as a consequence of my plea of guilty, if I am not a citizen of the
13 United States, I may, in addition to other consequences provided for by federal law, be
14 removed, deported, excluded from entry into the United States or denied naturalization.

15 I understand that the Division of Parole and Probation will prepare a report for the
16 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
17 sentencing, including my criminal history. This report may contain hearsay information
18 regarding my background and criminal history. My attorney and I will each have the
19 opportunity to comment on the information contained in the report at the time of sentencing.
20 Unless the District Attorney has specifically agreed otherwise, then the District Attorney
21 may also comment on this report.

22 WAIVER OF RIGHTS

23 By entering my plea of guilty, I understand that I am waiving and forever giving up
24 the following rights and privileges:

25 1. The constitutional privilege against self-incrimination, including the right to refuse
26 to testify at trial, in which event the prosecution would not be allowed to comment to the
27 jury about my refusal to testify.

28 2. The constitutional right to a speedy and public trial by an impartial jury, free of

1 excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the
2 assistance of an attorney, either appointed or retained. At trial the State would bear the
3 burden of proving beyond a reasonable doubt each element of the offense charged.

4 3. The constitutional right to confront and cross-examine any witnesses who would
5 testify against me.

6 4. The constitutional right to subpoena witnesses to testify on my behalf.

7 5. The constitutional right to testify in my own defense.

8 6. The right to appeal the conviction, with the assistance of an attorney, either
9 appointed or retained, unless the appeal is based upon reasonable constitutional jurisdictional
10 or other grounds that challenge the legality of the proceedings and except as otherwise
11 provided in subsection 3 of NRS 174.035.

12 VOLUNTARINESS OF PLEA

13 I have discussed the elements of all of the original charge(s) against me with my
14 attorney and I understand the nature of the charge(s) against me.

15 I understand that the State would have to prove each element of the charge(s) against
16 me at trial.

17 I have discussed with my attorney any possible defenses, defense strategies and
18 circumstances which might be in my favor.

19 All of the foregoing elements, consequences, rights, and waiver of rights have been
20 thoroughly explained to me by my attorney.

21 I believe that pleading guilty and accepting this plea bargain is in my best interest,
22 and that a trial would be contrary to my best interest.

23 I am signing this agreement voluntarily, after consultation with my attorney, and I am
24 not acting under duress or coercion or by virtue of any promises of leniency, except for those
25 set forth in this agreement.

26 I am not now under the influence of any intoxicating liquor, a controlled substance or
27 other drug which would in any manner impair my ability to comprehend or understand this
28 agreement or the proceedings surrounding my entry of this plea.

1 My attorney has answered all my questions regarding this guilty plea agreement and
2 its consequences to my satisfaction and I am satisfied with the services provided by my
3 attorney.

4 DATED this 5 day of February, 2008.

5 
6 STEPHONE WHITNEY
7 Defendant

8 AGREED TO BY:

9 
10 TINA SEDLOCK
11 Deputy District Attorney
12 Nevada Bar #009286
13
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1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of
3 the court hereby certify that:

4 1. I have fully explained to the Defendant the allegations contained in the charge(s)
5 to which guilty pleas are being entered.

6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.

8 3. All pleas of guilty offered by the Defendant pursuant to this agreement are
9 consistent with the facts known to me and are made with my advice to the Defendant.

10 4. To the best of my knowledge and belief, the Defendant:

11 a. Is competent and understands the charges and the consequences of pleading
12 guilty as provided in this agreement.

13 b. Executed this agreement and will enter all guilty pleas pursuant hereto
14 voluntarily.

15 c. Was not under the influence of intoxicating liquor, a controlled substance or
16 other drug at the time I consulted with the defendant as certified in paragraphs
17 1 and 2 above.

18 Dated: This 5 day of February, 2008.

19 
20 ATTORNEY FOR DEFENDANT

21 

22 JAN 19 2021

23 CERTIFIED COPY
24 DOCUMENT ATTACHED IS A
25 TRUE AND CORRECT COPY
26 OF THE DOCUMENT ON FILE

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02/04/2008 02:50:55 PM

Chaf
CLERK OF THE COURT

1 AINF
2 DAVID ROGER
3 Clark County District Attorney
4 Nevada Bar #002781
5 TINA SEDLOCK
6 Deputy District Attorney
7 Nevada Bar #009286
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 STEPHONE WHITNEY,
13 #2647736

14 Defendant.

Case No: C236921
Dept No: XIV

SECOND
AMENDED
INFORMATION

15 STATE OF NEVADA }
16 COUNTY OF CLARK } ss.

17 DAVID ROGER, District Attorney within and for the County of Clark, State of
18 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That STEPHONE WHITNEY, the Defendant(s) above named, having committed the
20 crimes of **FIRST DEGREE KIDNAPPING** (Category A Felony - NRS 200.310,
21 200.320); **CONSPIRACY TO COMMIT ROBBERY** (Category B Felony - NRS
22 199.480, 200.380) and **ROBBERY WITH USE OF A DEADLY WEAPON** (Category B
23 Felony - NRS 200.380, 193.165), on or about the 26th day of June, 2007, within the County
24 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases
25 made and provided, and against the peace and dignity of the State of Nevada,

26 COUNT 1 - FIRST DEGREE KIDNAPPING

27 did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON,
28 GREGORY FORD and an unidentified confederate, wilfully, unlawfully, feloniously, and

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EXHIBIT "1"

1 without authority of law, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or
2 carry away BEATRIZ HERNANDEZ, a human being, with the intent to hold or detain the
3 said BEATRIZ HERNANDEZ against her will, and without her consent, for the purpose of
4 committing robbery, said offense being committed by one or more of the following means,
5 to-wit: by the Defendant, THURMAN NICKELAS HALL, MIYA PATRIECE MASON,
6 GREGORY FORD and an unidentified confederate acting in concert, by entering into a
7 course of conduct as accomplices, by escorting each other to the scene, by acting as look-out
8 for each other, by accomplice MIYA PATRIECE MASON waiting in the get-away car to
9 drive them away, by one or more accomplices entering said business with one or more of
10 said accomplices carrying and/or displaying a firearm and/or handgun, by one or more
11 accomplices providing support in numbers upon jointly entering said business and/or
12 accosting the occupants therein with said weapons, by accomplice THURMAN NICKELAS
13 HALL displaying a firearm and moving BEATRIZ HERNANDEZ into a bathroom;
14 whereby the Defendant is responsible under one or more of the following principles of
15 criminal liability, to-wit: (1) by actually committing said offense; (2) by knowingly and
16 intentionally aiding or abetting in its perpetration; and/or (3) by conspiring with others
17 whereby the Defendant is liable for the acts of accomplices committed in furtherance of the
18 conspiracy for this offense.

19 COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

20 did then and there meet with THURMAN NICKELAS HALL, MIYA PATRIECE
21 MASON and GREGORY FORD and between themselves, and each of them with the other,
22 wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit: robbery,
23 and in furtherance of said conspiracy, Defendant did commit the acts as set forth in Count 3,
24 said acts being incorporated by this reference as though fully set forth herein.

25 COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON

26 did together with THURMAN NICKELAS HALL, MIYA PATRIECE MASON,
27 GREGORY FORD and an unidentified confederate then and there wilfully, unlawfully, and
28 feloniously take personal property, to-wit: jewelry, from the person of KENNETH

1 KALBACH and/or the person of DENNIS ZANE HOUSTON and/or the person of
2 BEATRIZ HERNANDEZ, or in their presence, by means of force or violence or fear of
3 injury to, and without the consent and against the will of the said KENNETH KALBACH
4 and/or DENNIS ZANE HOUSTON and/or BEATRIZ HERNANDEZ, said Defendant using
5 a deadly weapon, to-wit: a firearm and/or other handgun, during the commission of said
6 crime, said offense being committed by one or more of the following means, to-wit: by the
7 Defendant, THURMAN NICKELAS HALL, MIYA PATRIECE MASON, GREGORY
8 FORD and an unidentified confederate acting in concert, by entering into a course of
9 conduct as accomplices, by escorting each other to the scene, by acting as look-out for each
10 other, by accomplice MIYA PATRIECE MASON waiting in the get-away car to drive them
11 away, by the other accomplices entering the GOLD DOCTOR and/or C & H
12 ENTERPRISES business with one or more of said accomplices displaying handguns, by one
13 or more accomplices providing support in numbers upon jointly entering said business
14 and/or accosting the owners and/or employees BEATRIZ HERNANDEZ, KENNETH
15 KALBACH and/or DENNIS ZANE HOUSTON, by accomplice THURMAN NICKELAS
16 HALL displaying a firearm and moving BEATRIZ HERNANDEZ into a back bathroom; by
17 one or more accomplices standing guard and/or watching employee BEATRIZ
18 HERNANDEZ remain in the back bathroom, by one or more accomplices rummaging
19 through and/or taking several pieces of jewelry from store display cases, by accomplice
20 GREGORY FORD shooting a handgun and/or fighting over a handgun with
21 employee/owners KENNETH KALBACH and/or DENNIS ZANE HOUSTON, by the
22 Defendant punching at or toward employee BEATRIZ HERNANDEZ, and/or by one or
23 more accomplices fleeing the scene with one or more pieces of jewelry; whereby the
24 Defendant is responsible under one or more of the following principles of criminal liability,
25 to-wit: (1) by actually committing said offense; (2) by knowingly and intentionally aiding or

26 ///

27 ///

28 ///

1 abetting in its perpetration; and/or (3) by conspiring with others whereby the Defendant is
2 liable for the acts of accomplices committed in furtherance of the conspiracy for this offense.
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6 BY



7 DAVID ROGER
8 DISTRICT ATTORNEY
9 Nevada Bar #002781
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26 DA#07F16888X/jmj
27 LVMPD EV#0706261424
28 1ST DEG KIDNAP; CONSP ROBB; RWDW - F
(TK5)

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APR 2 10 06 AM '08

DISTRICT COURT

CRS
CLERK OF THE COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C236921

-vs-

DEPT. NO. XIV

STEPHONE WHITNEY
#2647736

Defendant.

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – FIRST DEGREE KIDNAPING (Category A Felony) in violation of NRS 200.310, 200.320, COUNT 2 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 199.480, 200.380, and COUNT 3 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 193.165, 200.380; thereafter, on the 26th day of March, 2008, the Defendant was present in court for sentencing with his counsel, KENNETH FRIZZELL, ESQ., and good cause appearing,

RECEIVED

APR 02 2008

CLERK OF THE COURT

1 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
 2 addition to the \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee
 3 including testing to determine genetic markers, the Defendant is sentenced to the
 4 Nevada Department of Corrections (NDC) as follows: AS TO COUNT 1 - TO A
 5 MAXIMUM of ONE HUNDRED FIFTY-SIX (156) MONTHS with a MINIMUM parole
 6 eligibility of FORTY-EIGHT (48) MONTHS; AS TO COUNT 2 - TO A MAXIMUM of
 7 FORTY-EIGHT (48) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
 8 MONTHS, COUNT 2 to run CONCURRENT with COUNT 1; AS TO COUNT 3 - TO A
 9 MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM parole
 10 eligibility of TWENTY-SIX (26) MONTHS, plus an EQUAL and CONSECUTIVE term of
 11 ONE HUNDRED TWENTY (120) MONTHS MAXIMUM and TWENTY-SIX (26)
 12 MONTHS MINIMUM for the Use of a Deadly Weapon, COUNT 3 to run CONCURRENT
 13 with COUNT 2; with TWO HUNDRED SEVENTY-TWO (272) DAYS credit for time
 14 served.
 15
 16
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19 DATED this 31st day of March, 2008

20
 21 
 22 DONALD M. MOSLEY
 23 DISTRICT JUDGE

24 

25 JAN 19 2021

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 28 TRUE AND CORRECT COPY
 OF THE DOCUMENT ON FILE

07C236921

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 24, 2007**

07C236921

The State of Nevada vs Stephone Whitney

September 24, 2007**9:00 AM****Initial Arraignment****INITIAL****ARRAIGNMENT****Court Clerk: Sharry****Frascarelli Relief****Clerk: Conan****Vanderbusse/cv****Reporter/Recorder:****Kiara Schmidt Heard****By: J. CHARLES****THOMPSON****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Frizzell III, Kenneth G.

Attorney

Thomas, Michelle L.

Attorney

Whitney, Stephone

Defendant

JOURNAL ENTRIES

- DEFT. WHITNEY ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial.

CUSTODY

11/20/07 9:00 AM CALENDAR CALL (DEPT 14)

11/26/07 1:30 PM JURY TRIAL (DEPT 14)

PRINT DATE: 01/19/2021**Page 1 of 7****Minutes Date:** September 24, 2007

000100

07C236921

PRINT DATE: 01/19/2021

Page 2 of 7

Minutes Date: September 24, 2007

000101

07C236921

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 24, 2007

07C236921

The State of Nevada vs Stephone Whitney

October 24, 2007

9:00 AM

Status Check

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

PRINT DATE: 01/19/2021

Page 3 of 7

Minutes Date: September 24, 2007

000102

07C236921

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 24, 2007

07C236921

The State of Nevada vs Stephone Whitney

October 24, 2007

9:00 AM

Status Check

STATUS CHECK:
DISCOVERY AND
TRIAL Court Clerk:
Linda Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: JOSEPH
BONAVENTURE

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Frizzell III, Kenneth G.
Nance, Aaron M.
Whitney, Stephone

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Mr. Frizzell advised he has all of the discovery and is ready for trial. COURT ORDERED, matter
RESOLVED.
CUSTODY

PRINT DATE: 01/19/2021

Page 4 of 7

Minutes Date: September 24, 2007

000103

07C236921

PRINT DATE: 01/19/2021

Page 5 of 7

Minutes Date: September 24, 2007

000104

07C236921

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 20, 2007**

07C236921

The State of Nevada vs Stephone Whitney

November 20, 2007**9:00 AM****Calendar Call****CALENDAR CALL****Court Clerk: Linda
Skinner****Reporter/Recorder:
Joe D'Amato Heard****By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Frizzell III, Kenneth G.
Sedlock, Priyanka T.
Whitney, StephoneAttorney
Attorney
Defendant**JOURNAL ENTRIES**

- Court noted this matter was discussed in chambers and that it maybe resolved. Mr. Frizzell stated they are very close to negotiations, would request the trial date be vacated and reset and that Defendant will waive the 60 day rule. Ms. Sedlock had no objection. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

1/8/08 9:00 AM CALENDAR CALL

1/14/08 1:30 PM JURY TRIAL

PRINT DATE: 01/19/2021**Page** 6 of 7**Minutes Date:** September 24, 2007

000105

07C236921

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

November 26, 2007

07C236921

The State of Nevada vs Stephone Whitney

November 26, 2007

1:30 PM

Jury Trial

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

Stephane A. Givon

JAN 19 2021

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OF THE DOCUMENT ON FILE**

PRINT DATE: 01/19/2021

Page 7 of 7

Minutes Date: September 24, 2007

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07C236921

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 08, 2008

07C236921

The State of Nevada vs Stephone Whitney

January 08, 2008

9:00 AM

Calendar Call

CALENDAR CALL
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Frizzell III, Kenneth G.
Rickert, David J.
Whitney, Stephone

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Frizzell advised he is ready for trial. Mr. Rickert advise the State is close to being ready and requested a continuance to Thursday. COURT SO ORDERED.

CUSTODY

PRINT DATE: 01/19/2021

Page 1 of 8

Minutes Date: January 08, 2008

000107

07C236921

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 10, 2008**

07C236921

The State of Nevada vs Stephone Whitney

January 10, 2008**9:00 AM****Calendar Call****CALENDAR CALL****Court Clerk: Linda
Skinner****Reporter/Recorder:
Maureen Schorn****Heard By: Donald
Mosley****HEARD BY:****COURTROOM: No Location****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Frizzell III, Kenneth G.
Sedlock, Priyanka T.
Whitney, Stephone

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Court noted this matter was discussed in chambers. Mr. Frizzell concurred and advised a plea has been offered, however, he would request a continuance to speak with Defendant and Defendant's parents about the plea. Further, there is a hearing on the writ with the co-defendant in the other case and would request a 3 week continuance. Ms. Sedlock had no objection. COURT ORDERED, trial date VACATED and set for status check in 3 weeks.

CUSTODY**1/31/08 9:00 AM STATUS CHECK: TRIAL SETTING****PRINT DATE: 01/19/2021****Page 2 of 8****Minutes Date: January 08, 2008**

000108

07C236921

PRINT DATE: 01/19/2021

Page 3 of 8

Minutes Date: January 08, 2008

000109

07C236921

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 14, 2008

07C236921

The State of Nevada vs Stephone Whitney

January 14, 2008

1:30 PM

Jury Trial

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

PRINT DATE: 01/19/2021

Page 4 of 8

Minutes Date: January 08, 2008

000110

07C236921

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor**COURT MINUTES****January 31, 2008**

07C236921

The State of Nevada vs Stephone Whitney

January 31, 2008**9:00 AM****Status Check**

STATUS CHECK:
TRIAL
SETTING/NEGOTIA
TIONS Court Clerk:
Linda Skinner/ls
Relief Clerk: Becky
Foster
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Frizzell III, Kenneth G.
 Stege, Amos R.
 Whitney, Stephone

Attorney
 Attorney
 Defendant

JOURNAL ENTRIES

- Mr. Frizzell advised Defendant is only 17; he was able to speak to Defendant's parents regarding the negotiations, however, has not been able to speak to Defendant. Mr. Frizzell requested a short continuance. Mr. Stege had no objection. COURT ORDERED, matter CONTINUED.
 CUSTODY

PRINT DATE: 01/19/2021**Page 5 of 8****Minutes Date:** January 08, 2008

000111

07C236921

PRINT DATE: 01/19/2021

Page 6 of 8

Minutes Date: January 08, 2008

000112

07C236921

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor**COURT MINUTES****February 05, 2008**

07C236921

The State of Nevada vs Stephone Whitney

February 05, 2008**9:00 AM****Status Check**

STATUS CHECK:
TRIAL
SETTING/NEGOTIA
TIONS Court Clerk:
Linda Skinner/ls
Relief Clerk: Becky
Foster
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Frizzell III, Kenneth G.
 Miller, James J.
 Whitney, Stephone

Attorney
 Attorney
 Defendant

JOURNAL ENTRIES

- Mr. Frizzell advised matter is resolved. Mr. Miller advised the Second Amended Information was filed yesterday. Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: State retains the right to argue at time of sentencing. Mr. Miller concurred. DEFENDANT WHITNEY WITHDREW NOT GUILTY PLEA AND PLED GUILTY to COUNT 1 - FIRST DEGREE KIDNAPPING (F); COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (F) and COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON (F). Court ACCEPTED pleas; referred matter to the

PRINT DATE: 01/19/2021

Page 7 of 8

Minutes Date: January 08, 2008

000113

07C236921

Division of Parole and Probation for a Pre-sentence Investigation Report and ORDERED, set for sentencing.

CUSTODY

3/26/08 9:00 AM SENTENCING

Steven A. Quinn

JAN 19 2021

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TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

PRINT DATE: 01/19/2021

Page 8 of 8

Minutes Date: January 08, 2008

000114

07C236921

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 26, 2008**

07C236921

The State of Nevada vs Stephone Whitney

March 26, 2008**9:00 AM****Sentencing****SENTENCING****Court Clerk: Linda
Skinner****Reporter/Recorder:****Maureen Schorn****Heard By: Donald
Mosley****HEARD BY:****COURTROOM: No Location****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Frizzell III, Kenneth G.
Rickert, David J.
Whitney, Stephone

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- By virtue of his plea, DEFENDANT WHITNEY ADJUDGED GUILTY of COUNT 1 - FIRST DEGREE KIDNAPPING (F); COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (F) and COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON (F). Statements by Mr. Rickert, Defendant and Mr. Frizzell. COURT ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to: COUNT 1 - a MAXIMUM term of ONE HUNDRED FIFTY-SIX (156) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, and; COUNT 2 - a MAXIMUM term of FORTY-EIGHT (48) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS, to run CONCURRENT with Count 1, and; COUNT 3 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, plus an EQUAL AND CONSECUTIVE term of ONE HUNDRED TWENTY (120) MONTHS MAXIMUM

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with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Use of a Deadly Weapon; Count 3 to run CONCURRENT with Count 2, with 272 days credit for time served.

Defendant was referred to the 184 Drug Program in prison.

CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA Analysis fee is imposed with Defendant submitting to genetic markers testing.

BOND, if any, EXONERATED.

Steven A. Quinn

JAN 19 2021

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DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

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